

**U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
PALM SPRINGS-SOUTH COAST FIELD OFFICE**

**DECISION RECORD
DOI-BLM-CA-060-00009-0044-EA**

NAME of PROJECT: Cocopah Land Sale

REGULATORY COMPLIANCE: The approved action is in conformance with the following land use plans: California Desert Conservation Area Plan (CDCA), 1980 as amended, and the Northern and Eastern Colorado Desert Coordinated Management Plan (NECO, an amendment to the CDCA.) Based on the analysis in the Cocopah Land Sale Environmental Assessment (EA) DOI-BLM-CA-060-00009-0044-EA and associated Finding of No Significant Impact, I find no significant impacts to the human environment were identified and therefore no Environmental Impact Statement is required.

SELECTED ALTERNATIVE: The selected alternative is the proposed action as described in the Cocopah Land Sale EA with a minor modification to reflect that the sale would be for the fair market value of \$40,000 based on an appraisal approved by the Office of Valuation Services November 7, 2011. Under the selected alternative, 80 acres of public land would be sold to Cocopah Nurseries, Inc., through a direct, non-competitive sale process. The public lands to be sold are located in eastern Riverside County and are described as the S1/2 NE1/4 of Section 30, Township 5 South, Range 17 E, San Bernardino Meridian. The proposed sale would include the conveyance of all federal interests in the public land, to include both the surface and mineral estate.

The sale price of \$40,000 is the fair market value of the land based on a current appraisal approved for BLM's use by the Department of the Interior's Office of Valuation Services. The proposed action in the Cocopah Land Sale EA references a value of \$77,000, but because this value was based on an appraisal approved in 2010, BLM had the public land reappraised in 2011. The new appraisal valued the public land at \$40,000, with an effective date of value of October 30, 2011.

PUBLIC INVOLVEMENT: A Notice of Realty Action describing the proposed sale was published in the Federal Register in May of 2010, and published once a week for three consecutive weeks in the Desert Sun (May 27, June 3, and June 10, 2010). The notice was also sent to interested parties of record. No comments were received. The Cocopah Land Sale EA was posted on the Palm Springs South Coast website for a thirty day public comment period. No public comments were received regarding the adequacy of the environmental analysis.

RATIONALE: The CDCA Plan states that "selected areas may be sold to reduce inefficient management of isolated parcels." This 80 acre parcel is wholly surrounded by private lands owned by Cocopah Nurseries Inc. All of the areas immediately surrounding this parcel have been subject to intensive past or current agricultural use. The land lacks legal access for the

public, which significantly limits multiple use management opportunities and makes the land difficult and uneconomic to manage as part of the public lands.

Expansion of the existing agricultural operations will generate positive local benefits to the community of Desert Center and create minor tax revenue increases of approximately \$3,000 dollars for Riverside Community.

There are no known cultural or historic resources within the 80 acre parcel and the area. Consultation with Native American Tribes and individual resulted in no identified concerns within the Area of Potential Effect or over the land sale. In addition, a determination of no adverse effect for cultural resources was given for the project.

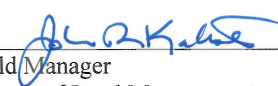
Based on a mineral potential report, BLM has determined there are no known mineral values in the land. The land may contain aggregate resources, but these resources have very low potential for future development due to the distance from the markets for these materials. No adverse effects to the saleable minerals program have been identified given the high availability of sand and gravel resources throughout the area.

Based on recently compiled information from the Draft and Final EISs for the Palen and Genesis solar projects, ground water recharge information indicates that recharge rates are still considered positive for the Chuckwalla Groundwater Basin with over 2,608 acres feet per year (AFY) entering than leaving the basin. This information is also consistent with the California Department of Water Resources conclusion that ground water basis levels are generally stable. The EA for the proposed Cocopah land sale identified no significant impacts as a result of this proposed lands sale for the purposes of agricultural expansion. No public comments were received on any issues related to ground water use. A minimal cumulative net decrease of ground water recharge would occur from 2,608 to 2,048 AFY. BLM would continue to monitor ground water within the Chuckwalla Basis in conformance with a recent partnership with the Department of Energy and Berkeley National Laboratories.

The 80 parcel is not habitat for any known listed species, although lands in the vicinity could be marginal habitat for the desert tortoise. The parcel is not considered habitat as repeated field surveys of the parcel and the general vicinity found no evidence of tortoise or tortoise sign.

The public land is not with in a Solar Energy Zone that may be subject to future development. The sale would not preclude opportunities for renewable energy development on public land.

DECISION: It is my decision to approve the proposed action as described in Environmental Assessment (EA) number DOI-BLM-CA-060-0009-0044-EA, as modified above.


Field Manager
Bureau of Land Management
Palm Springs-South Coast Field Office

Date

1/6/2012

APPEALS: This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at Title 43 of the Code of Federal Regulations (CFR), Part 4, and the information provided in Form 1842-1 (enclosed). If an appeal is taken, your notice of appeal must be filed in the Palm Springs-South Coast Field Office, Bureau of Land Management, U.S. Department of the Interior, 1201 Bird Center Drive, Palm Springs, California 92262, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, pursuant to Title 43 of the Code of Federal Regulations, Part 4, Subpart E, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

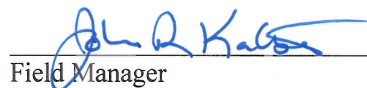
- (1) the relative harm to the parties if the stay is granted or denied,
- (2) the likelihood of the appellant's success on the merits,
- (3) the likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) whether the public interest favors granting the stay.

**U.S. Department of Interior
Bureau of Land Management
Palm Springs South Coast Field Office**

**Finding of No Significant Impact
DOI-BLM-CA-060-0009-0044-EA**

Name of Project: Cocopah Land Sale

Finding of No Significant Effect: Environmental impacts associated with the proposed action have been assessed. Based on the analysis provided for in the attached EA, I concluded that the approved action is not a major federal action and will result in no significant impacts to the environment under the criteria in Title 40 Code of Federal Regulations 1508.18 and 1508.27. Preparation of and Environmental Impact statement is therefore not required pursuant to Section 102 (2) (c) of the National Environmental Policy Act of 1969.



Field Manager
Palm Springs South Coast Field Office

Date 1/6/2012